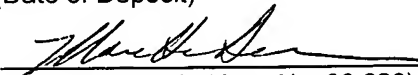


CERTIFICATE OF MAILING

I hereby certify that this paper and every paper referred to therein as enclosed is being deposited with the U.S. Postal Service as first class mail, postage prepaid, in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, Alexandria VA 22313-1450 on September 21, 2005 (Date of Deposit)

September 21, 2005


Manette Dennis (Reg. No. 30,623)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/520,243
Confirmation No. : 2622
Applicant : SANAKA, Tsutomu et al.
International Filing Date : May 23, 2003
Priority Date : July 1, 2002
TC/A.U. : to be assigned
Examiner : to be assigned
Docket No. : KPO-JMS-P1/SH-72/US
Title : PERITONEAL DIALYSATE CONTAINING TAURINE

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35
U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE
(DO/EO/US)**

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attn.: Charitta A. Burt

Sir:

In Response to the Notification of Missing Requirements mailed on July 21, 2005,

Applicants respectfully maintain that the items requested in the Notification of Missing

Requirements have already been filed with the USPTO on May 2, 2005.

Applicants hereby submit copies of documents, which demonstrate that the U. S. Patent and Trademark Office already received the Declaration of the Inventors and \$130 Surcharge.

The following copies are enclosed:

1. Copy of Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed 21 July 2005;
2. Postcard listing Declaration stamped 02 May 2005 by JC10 Rec'd PCT/PTO;
3. Ostrager Chong Flaherty & Broitman Check No. 1699 dated April 29, 2005 cashed by the U.S. Patent and Trademark Office;
4. Express Label EV501833976 US stamped by the USPS on 02 May 2005;
5. Certificate of Mailing by "Express Mail" (37 CFR 1.10);
6. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) concerning a submission under 35 U.S.C. 371; and
7. Declaration and Power of Attorney for Patent Application: Japanese Language Declaration executed by the inventors.

If there are any questions about the enclosed documents, please telephone the undersigned.

THE SAME INFORMATION WAS SENT TO

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ON SEPTEMBER 20, 2005

This document is being sent in case yesterday's document is not forwarded to Elected Office.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment to Deposit Account No. 50-3195. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: September 21, 2005


Manette Dennis (Reg. No. 30,623)
Ostrager Chong & Flaherty LLP
825 Third Avenue 30th Floor
New York, New York 10022
Tel.: 212 826-6565
Fax: 212 826-5909
mdennis@ocflaw.com

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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U.S. APPLICATION NUMBER NO. DOCKETED 10/520,243	FIRST NAMED APPLICANT Tsutomu Sanaka	ATTY. DOCKET NO. KPO-JMS-P1/SH-72/US
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JUL 26 2005

44702
 OSTRAGER CHONG FLAHERTY & BROITMAN PC
 250 PARK AVENUE, SUITE 825
 NEW YORK, NY 10177

RECEIVED

JUL 25 2005

INTERNATIONAL APPLICATION NO. PCT/JP03/06453	
I.A. FILING DATE 05/23/2003	PRIORITY DATE 07/01/2002

CONFIRMATION NO. 2622

371 FORMALITIES LETTER



OC000000016552149

Date Mailed: 07/21/2005

OSTRAGER CHONG FLAHERTY & BROITMAN PC

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/01/2005
- Copy of the International Search Report filed on 01/01/2005
- Copy of IPE Report filed on 01/01/2005
- Request for Immediate Examination filed on 01/01/2005
- U.S. Basic National Fees filed on 01/01/2005
- Priority Documents filed on 01/01/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

1(SUMMARY OF FEES DUE) 520243

01/01/2005 100.00 UP
 Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/520,243	PCT/JP03/06453	KPO-JMS-P1/SH-72/US

U.S. Patent Application No. 10/520,243
Applicants: T. Sanaka et al.
entitled: PERITONEAL DIALYSATE CONTAINING TAURINE

Please acknowledge receipt of the following:

- ✓ Transmittal Letter to DO/EOLUS concerning a filing under 35 U.S.C. 371
- ✓ Declaration/ Power of Attorney (4 pages)
- ✓ Cert of Express Mailing No. EU 5018339TG US dated 5/2/05
- ✓ Certified Translation of Japanese Patent Application No. JP2002-192177 filed July 1, 2002

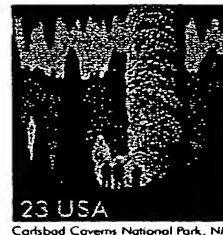
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- Items defined by postal indemnity regulations as "nonnegotiable documents" are insured against loss, damage, or theft up to \$100 per shipment for document reconstruction, subject to additional limitations for multiple pieces lost or damaged in a single catastrophic occurrence. Document reconstruction insurance provides reimbursement for the reasonable costs incurred in reconstructing duplicates of nonnegotiable documents mailed. Document reconstruction insurance coverage above \$100 per shipment is NOT available, and attempts to purchase additional document insurance are void.
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CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): T.Sanaka et al.

Docket No.

KPO-JMS-P1/SH-72/US

Application No.

10/520,243

Filing Date

January 1, 2005

Examiner

to be assigned

Customer No.

44702

Group Art Unit

to be assigned

Invention: **PERITONEAL DIALYSATE CONTAINING TAURINE**

I hereby certify that the following correspondence:

Transmittal Letter to the United States Designated/Elected Office Concerning a Filing under 35 U.S.C. 371, enclosing executed Declaration/Power of Attorney*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

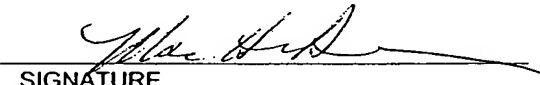
May 2, 2005*(Date)*Manette Dennis*(Typed or Printed Name of Person Mailing Correspondence)*
*(Signature of Person Mailing Correspondence)*EV501833976US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER KPO-JMS-P1/SH-72/US U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/520,243
INTERNATIONAL APPLICATION NO. PCT/JP2003/006453	INTERNATIONAL FILING DATE May 23, 2003	PRIORITY DATE July 1, 2002
TITLE OF INVENTION PERITONEAL DIALYSATE CONTAINING TAURINE		
APPLICANT(S) FOR DO/EO/US SANAKA, Tsutomu; WAKABAYASHI, Maki; SANO, Yukihiko		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(3)) a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). Items 11 to 20 below concern document(s) or information 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: Certified Translation of Japanese Patent Application No. JP2002-192177 filed July 1, 2002; Express Mail Label No. EV 501833976 US		

EV501833976US

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

U.S. APPLICATION NO. (if known, see 37 CFR 10/520,343		INTERNATIONAL APPLICATION NO. PCT/JP2003/006453		ATTORNEY'S DOCKET NUMBER KPO-JMS-P1/SH-72/US	
21. The following fees are submitted:				Applicant use	Office use only
<input type="checkbox"/> a) Basic national fee \$300.00				\$ \$0.00	
<input type="checkbox"/> b) Examination fee \$200.00				\$ \$0.00	
<input type="checkbox"/> c) Search fee \$500.00				\$ \$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$ \$0.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
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Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ \$130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =	0	x	\$ \$0.00	
Independent claims	- 3 =	0	x	\$ \$0.00	
Multiple Dependent Claims (if applicable) <input type="checkbox"/>				+ \$360.00	
TOTAL OF ABOVE CALCULATIONS =				\$ \$130.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ \$0.00	
SUBTOTAL =				\$ \$130.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	
TOTAL NATIONAL FEE =				\$ \$130.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per				+	
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<p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p>					
<p>SEND ALL CORRESPONDENCE TO:</p> <p>Customer No. 44702</p> <p>Ostrager Chong Flaherty & Broitman P.C. 250 Park Avenue, Suite 825 New York, New York 10177-0899 212-681-0600, ext 101 Fax. 212-681-0300 mdennis@ocfbllaw.com</p>					
				 SIGNATURE	
				Manette Dennis NAME	
				<u>30,625</u> REGISTRATION NUMBER	

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Declaration and Power of Attorney for Patent Application

特許出願宣言書及び委任状

Japanese Language Declaration

日本語宣言書

私は、以下に記名された発明者として、ここに下記の通り宣言する：

As a below named inventor, I hereby declare that:

私の住所、郵便の宛先そして国籍は、私の氏名の後に記載された通りである。

My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明について、特許請求範囲に記載され、且つ特許が求められている発明主題に関して、私は、最初、最先且つ唯一の発明者である（唯一の氏名が記載されている場合）か、或いは最初、最先且つ共同発明者である（複数の氏名が記載されている場合）と信じている。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

PERITONEAL DIALYSATE CONTAINING

TAURINE

上記発明の明細書はここに添付されているが、下記の箱がチェックされている場合は、この限りでない：

the specification of which is attached hereto unless the following box is checked:

☐ _____ の日に出願され、
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☒ was filed on May 23, 2003
as United States Application Number or
PCT International Application Number
PCT/JP03/0064 and was amended on
_____ (if applicable).

私は、上記の補正書によって補正された、特許請求範囲を含む上記明細書を検討し、且つ内容を理解していることをここに表明する。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第37編規則1.56に定義されている、特許性について重要な情報を開示する義務があることを認める。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the need of the individual case. Any comments on the amount of time you are required to complete this form should be sent to Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents and Trademarks, Washington, DC 20231.

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私は、ここに、以下に記載した外国での特許出願または発明者証の出願、或いは米国以外の少なくとも一國を指定している米国法典第35編第365条(a)によるPCT国際出願について、同第119条(a)-(d)項又は第365条(b)項に基づいて優先権を主張するとともに、優先権を主張する本出願の出願日より前の出願日を有する外国での特許出願または発明者証の出願、或いはPCT国際出願については、いかなる出願も、下記の枠内をチェックすることにより示した。

I hereby claim foreign priority under Title 35, United States Code, Section 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application for which priority is claimed.

Prior Foreign Application(s)
外国での先行出願

Priority Not Claimed
優先権主張なし

JP 2002-192177 Japan
(Number) (Country)
(番号) (国名)

(Number) (Country)
(番号) (国名)

01/07/'02
(Day/Month/Year Filed)
(出願日/月/年)

(Day/Month/Year Filed)
(出願日/月/年)

☐

☐

私は、ここに、下記のいかなる米国仮特許出願についても、その米国法典第35編第119条(e)項の利益を主張する。

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

(Application No.) (Filing Date)
(出願番号) (出願日)

(Application No.) (Filing Date)
(出願番号) (出願日)

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I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of application.

(Application No.) (Filing Date)
(出願番号) (出願日)

(Status: Patented, Pending, Abandoned)
(現況: 特許許可、係属中、放棄)

(Application No.) (Filing Date)
(出願番号) (出願日)

(Status: Patented, Pending, Abandoned)
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